

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JUAN VILLANUEVA,	)	CIVIL ACTION NO. 3:20-cv-121
	)	
Plaintiff,	)	JUDGE KIM R. GIBSON
	)	
v.	)	
	)	
DR. DANCHA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER

This case was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

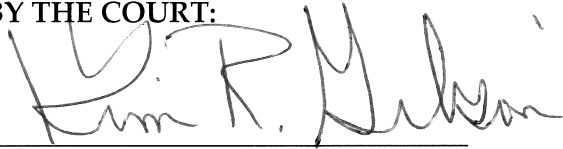
Plaintiff Juan Villanueva (“Villanueva”) filed a “Motion for Relief Fed.R.Civ.P. 60(b)” on May 23, 2022, requesting that the Court give him an extension of sixty days to amend his Complaint. (ECF No. 29). The Magistrate Judge filed a Report and Recommendation on May 25, 2022, recommending that Villanueva’s motion be denied because “one cannot extend the time to file an amended complaint once the complaint has been dismissed.” (ECF No. 30 at 1). Villanueva was notified that pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file written objections to the Report and Recommendation. To date, no objections have been filed.

After review of the Report and Recommendation (ECF No. 30) and the other documents filed in this case under the applicable “reasoned consideration” standard, *see EEOC V. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (standard of review when no timely and specific objections are filed), and pursuant to Local Civil Rule 72.D.2, the Court

will accept in whole the findings and recommendations of the Magistrate Judge in this matter. Magistrate Judge Pesto correctly determined that Villanueva's motion for relief should be denied. Accordingly, the following order is entered:

**AND NOW**, this 23<sup>rd</sup> day of June, 2022, **IT IS HEREBY ORDERED** that Villanueva's "Motion for Relief Fed.R.Civ.P. 60(b)" is **DENIED**. The Report and Recommendation is adopted as the opinion of the Court.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

**THE HONORABLE KIM R. GIBSON  
UNITED STATES DISTRICT JUDGE**

Notice to by U.S. Mail to:

Juan Villanueva  
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